

1 The Honorable Ronald B. Leighton  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SEAN WILSON, individually and on behalf of  
all others similarly situated,

No. 18-cv-05276-RBL

*Plaintiff,*

*v.*

HUUUGE, INC., a Delaware corporation,

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S UNOPPOSED MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT**

*Defendant.*

1       The above-captioned matter came before this Court upon Plaintiff's Unopposed Motion  
2 for Preliminary Approval of Class Action Settlement. Based upon the memoranda, exhibits, and  
3 all the files and proceedings herein, the Court finds as follows:

4       1.       The Court grants preliminary approval of the Settlement based upon the terms set  
5 forth in the Settlement Agreement.

6       2.       The settlement terms set forth in the Settlement Agreement appear to be fair,  
7 adequate and reasonable to the Settlement Class, and the Court preliminarily approves the terms  
8 of the Settlement Agreement, including:

- 9           a.       A Settlement Fund of \$6,500,000;
- 10          b.       Incentive Awards, which shall not exceed \$10,000 for Plaintiff Sean  
11                   Wilson and shall not exceed \$1,000 for Class Representatives Heidi  
12                   Hammer;
- 13          c.       Attorneys' fees to Settlement Class Counsel, which shall be no more than  
14                   30 percent (30%) of the Settlement Fund, plus reimbursement of expenses  
15                   and;
- 16          d.       Settlement Administration Expenses, which together with any anticipated  
17                   Fee Award and Incentive Award, shall be no more than 30 percent (30%)  
18                   of the Settlement Fund.

19       3.       The Court grants the Parties' request for certification of the following Rule 23  
20 Settlement Class for the sole and limited purpose of implementing the terms of the Settlement  
21 Agreement, subject to this Court's final approval:

22                   Washington residents (as reasonably determined by IP address  
23                   information or other information furnished by Platform Providers) who  
24                   played the Applications on or before preliminary approval of the  
settlement.<sup>1</sup>

25       <sup>1</sup> Excluded from the Settlement Class are (1) any Judge or Magistrate presiding over this action and members  
26                   of their families, (2) Defendant, Defendant's subsidiaries, parent companies, successors, predecessors, and any  
entity in which Defendant or its parents have a controlling interest and their current or former officers, directors, and  
27                   employees, (3) persons who properly execute and file a timely request for exclusion from the settlement class, and  
                 (4) the legal representatives, successors or assigns of any such excluded persons.

1       4. The Court preliminarily appoints Jay Edelson, Rafey S. Balabanian, Todd Logan,  
 2 Alexander G. Tievsky, and Brandt Silver-Korn of Edelson PC as Class Counsel, and Plaintiff  
 3 Sean Wilson along with Heidi Hammer as Settlement Class Representatives.

4       5. This Court approves, as to form and content, the notice of proposed class action  
 5 settlement (the “Notice”), in substantially the form attached to the Settlement Agreement as  
 6 Exhibits B, C and D. The Court approves the procedure for Settlement Class Members to opt out  
 7 of, or object to, the Settlement as set forth in the Settlement Agreement Notice.

8       6. The Court directs the mailing of the Settlement Class Notice by email and/or  
 9 First-Class U.S. mail to the Settlement Class Members in accordance with the schedule set forth  
 10 below. The Court finds the dates selected for the mailing and distribution of the Notice, as set  
 11 forth below, meet the requirements of due process and provide the best notice practicable under  
 12 the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

Deadline	Event
No later than seven (7) days after Execution of the Settlement Agreement	Deadline for Plaintiff to issue subpoena and rider to Platform Providers as described in the Agreement § 4.1.
No later than fourteen (14) days after receiving the last data requested in the Agreement § 4.1	Deadline for Defendant to provide completed Settlement Class List to Class Counsel and the Settlement Administrator
No later than seven (7) days after entry of Preliminary Approval	Deadline for Settlement Administrator to provide Notice on the settlement website <a href="http://www.hgsettlement.com">www.hgsettlement.com</a>
No later than thirty-five (35) days after entry of Preliminary Approval	Deadline for Settlement Administrator to mail Notice via Email and/or First-Class U.S. Mail.
No later than thirty (30) days prior to the Claims Deadline	Deadline for the Settlement Administrator to send Reminder Notice via email
No later than fifty-six (56) days following the Notice Date and no sooner than fourteen (14) days after papers supporting the Fee Award.	Deadline to have postmarked and/or filed a written objection to this Settlement Agreement or a request for exclusion;

7. The Court appoints Angeion Group as the Settlement Administrator.

8. The Court adopts the following dates and deadlines:

9. The Claims Deadline is scheduled for , fifty-six (56) days

following the Notice Date.

10. Class Counsel shall file a memorandum of points and authorities in support of their motion for approval of attorneys' fees and litigation expenses no later than

11. Settlement Class Counsel shall file a memorandum of points and authorities in support of the final approval of the Settlement Agreement no earlier than \_\_\_\_\_, twenty-one (21) days following the Claims Deadline.

12. A final settlement approval fairness hearing on the question of whether the proposed Settlement, attorneys' fees to Settlement Class Counsel, and the Settlement Class Representatives' Incentive Award should be finally approved as fair, reasonable and adequate as to the members of the Settlement Class is scheduled for .

## IT IS SO ORDERED

Dated this \_\_\_\_ day of \_\_\_\_\_, 2020

Ronald B. Leighton  
United States District Judge